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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 26.2.A41/B/USA

In re Application of:

Jackie R. Gust et al.

Serial No. 09/480,044

Filed 01/10/2000

For **ELECTRIC DRIVE
RIDING MOWER**

Group Art Unit 3618

Examiner F. Vanaman

REQUEST TO DISREGARD INCOMPLETE FAX TRANSMISSIONS
IN FAVOR OF COMPLETE FILING BY MAIL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On November 17, 2008 I prepared a 15 page Amendment and a 3 page attachment in the above-identified patent application responding to the Office Action dated May 15, 2008. I attempted to file these documents in the PTO via facsimile. Only 3 pages of these documents were received by the PTO in a first attempt at facsimile transmission at 5:18:44 PM on 11/17/08. In a second attempt at facsimile transmission at 5:21:16 PM on 11/17/08, only 8 pages of these documents were received by the PTO. Clearly, both of these fax transmissions were incomplete.

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Certificate of Transmission under 37 CFR § 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on 11/18/08

James W. Miller

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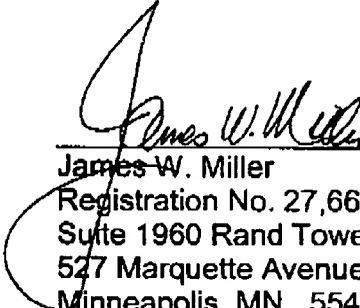
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Accordingly, rather than attempt a third fax transmission, I filed the complete 15 page Amendment and 3 page attachment by U.S. first class mail on 11/17/08 using a Certificate of Mailing. These documents will arrive in the PTO in due course when they are delivered by the U.S Post Office. It is respectfully requested that the PTO disregard the incomplete fax transmissions and act on the complete copy of the Amendment that was filed by mail on 11/17/08.

The portions of the incomplete fax transmissions received by the PTO each included a Request for a 3 month extension of time and an authorization to charge the fees for such a Request to the assignee's Deposit Account. Similarly, the same Request and authorization was included in the complete copy of the Amendment filed by mail. Obviously, only one such fee for a 3 month extension of time should be charged to the assignee's Deposit Account and the PTO is requested to avoid charging the same fee multiple times.

November 18, 2008

Respectfully submitted,



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